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Secret CIA Data Offered In Federal Court Case

Secret Central Intelligence Agency (CIA) documents, considered to be "dangerous" to CIA agents abroad, were introduced Friday into the Federal Court trial of two men on charges of conspiring to smuggle World War II type attack bombers to Portugal.

The documents were brought here by Lawrence R. Houston of Washington, D.C., chief lawyer of the CIA, under a subpoena obtained by attorney Edwin Marger of Miami Beach, Fla., counsel for one of the defendants.

On trial on charges of conspiring to violate the Munitions Control Act are bearded John R. Hawke, 28, a former RAF pilot now living in Ft. Lauderdale, Fla., and Count Henri M. F. deMontmarin, 58, a Paris businessman.

Marger is trying to prove that the CIA knew of the B26 bomber exports and secretly backed the operation because the Portuguese planned to use the bombers against Communist-led rebels in Portuguese Africa.

On the witness stand, Houston testified the CIA documents indicated the agency on May 25, 1965, had information that the Portuguese government had purchased 22 B26 bombers from a private company.

Week Before B26 Left

This was almost a week before the first B26 allegedly left the United States and four days after the contract for the planes was signed, testimony has indicated.

The secret documents, on which Houston's testimony was based, were not brought into the courtroom until after a 40-minute conference in the chambers of Judge John O. Henderson.

During the closed door session, the judge examined the original CIA papers and machine reproductions containing certain deletions and, in the presence of attorneys for both sides, approved the deletions.

The censored copies then were taken to the courtroom and the originals were spirited away to a safe place.

All sides agreed the deletions had to do with who supplied the information in the reports and how it was obtained. The substance of the reports relating to the B26 operation was intact, lawyers said.

Edward Brodsky, attorney for deMontmarin, immediately objected to the documents on the grounds they contain information prejudicial to his client.

Objection Overruled

Judge Henderson overruled him, later instructing the jury that the information in the papers was not vouched for and could not be used against deMontmarin.

In questioning Houston, Marger sought to show that the four memos did not represent the CIA's complete file on the bomber case.

Judge Henderson directed the jury of 10 men and two women to return Tuesday.